

# THE DAWN

No. 1.

—OF—

No. 1.

REAL FREEDOM.

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## CAPITALISM ON TRIAL.

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LEGAL PROCEEDINGS AGAINST THE SYSTEM THAT DESPOILS THE  
WORKING CLASSES AND ROBS THE LABORER  
OF HIS EARNINGS.

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BY  
A KNIGHT OF LABOR.

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Price, 5 Cents.

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NEW YORK.

Publisher, J. FRANZ, No. 184 William Street.

P. O. Box 3560.

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**ATTENTION!**

**ATTENTION!**

# No. 2

—OF—

## The Dawn of Real Freedom

will appear soon after this publication and contains the following proceedings in the trial had in the **Court of Public Opinion**, viz.: **The People of the United States vs. Capitalism:**

- 1) The decision of the Court on the motion to dismiss the case.
  - 2) The opening speech of the prosecuting attorney, Mr  
SOCIALIST.
  - 3) The first witness on stand.
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## EXPLANATION.

28 May 09 Chicago  
In these our present times, indictments seem to be floating in the air, they are considered effective weapons in the war between capital and labor. Numerous indictments were found, followed by an overreadiness to convict, and harsh and brutal sentences passed against working men who dared to gain a little butter on their bread, by unity of action, or tried to defend the remnants of a dignified existence, not already filched from them.

These, assuredly, were the modest, the extremely modest objects the trades union movement endeavored to gain, *previous* to this era of indictments and convictions. Only such very *conservative* intentions actuated those strikers and boycotters before the beginning of the hue and cry to hunt down their noble game, which effectively commenced with the trial of the Theiss Boycotters. It was followed by the conviction of the Landgraf Boycotters and their ridiculously mild sentences by the same Judge Barrett, who had shortly before dealt so severely with the enemies of the dive-keeper Theiss. In spite of Judge Barrett's denial he knew why he now made an *attempt* to be a little "humane" with the Landgraf Boycotters. The effect of his cruel sentences against the Theiss Boycotters, must have been a surprise to him and his kind. The laboring classes had given a sign of waking up; they rattled a little too lively their chains, which led to the supposition that they are yet liable to be goaded into madness. However, the sentences of the Landgraf Boycotters were also unjust. In the mean time boycotters were sentenced in New Haven, Conn. In New York and Brooklyn alone, a number of criminal proceedings are still pending against boycotters. Just now, in all probability, there will be a little hesitation on the part of the Grand Juries, District Attorneys and Judges. They want to wait *until the anger of the laboring classes evaporates*. Maybe they will not reopen their razzia of prosecutions until the approaching election campaign is over. Yes, they may wait *until then*, but, rest assured, they will not postpone them after that;—that is: if the workingmen should be so *mournfully* and *despairingly* forgetful, on the "first Tuesday after the first Monday in November," and again cast their votes for the political ragamuffins of either the democratic or republican party—they are all of one ilk.

Well, if there is a spark of sound common sense in the heads of the laboring men of this country, they will reverse matters, and will themselves

*Take the whip by the handle!*

Put the enemies of the labor movement in the prisoners dock, and on each first Tuesday after each first Monday in November the people may sit in judgement over their despoilers and tormenters. Will the laboring classes of this country be misled much longer? Will they continue to use this great opportunity only to invest with power this or that tool in the hands of the despoilers?

Away with that apathy, which only degrades us in the eyes of the ruling classes and which required an extraordinary act of brutality before we were aroused to defend ourselves against capitalistic infamy. This baneful system, so destructive to all the higher interests of humanity, producing *such* Grand Juries, *such* Petit Juries, *such* low-minded demagogues as District Attorney Fellows and obliging Judges like Barrett,—yes, this *whole* system of capitalistic spoliation

*Must be indicted!*

The author of this pamphlet will endeavor to briefly state the reasons why this whole system of private capital, whose owners are fleecing the wage workers, has become untimely, and therefore destructive in every respect. So it is a “Bill of Indictment” against the whole system, which the author desires to present to the people.

The author assumes that on the 14th day of July, 1889, a Grand Jury, acting for the true interests of the people of the United States, found a “Bill of Indictment” against the capitalistic system and its representatives, as being a public nuisance. By using the form of a Grand Jury Indictment the author does not intend to convey the idea, that the case between the people and capitalism will eventually be settled by legal proceedings. At any rate the centennial anniversary of the storming of the Paris Bastille—the day on which the third estate of France, after long agitation went into action against feudalism—could not be more appropriately celebrated than by making a stride forward from serfdom to humanity.

Should this Indictment meet with a favorable reception by the public the trial will soon follow and will be faithfully reported by

THE AUTHOR.



# THE GRAND JURY

OF PUBLIC OPINION

IN SESSION ON THE 14TH DAY OF JULY, 1889, AFTER DUE DE-  
LIBERATION FOUND AN INDICTMENT AGAINST THE NOW  
ENFORCED SOCIAL POLITICAL SYSTEM, KNOWN  
UNDER THE NAME OF  
**CAPITALISM.**

We find that the above mentioned capitalistic system has grown to be a public nuisance, dangerous to the best interests of the people, and liable to do incalculable damage.

The following four points will substantiate our charge and explain the motives that induced us to find the indictment:

1.—Capitalism has proved itself to be a system of spoliation, enriching the few and impoverishing more and more the masses of the people and above all the industrial classes, thereby dooming to misery the only creators of wealth.

2.—Capitalism is based upon a mode of production that became obsolete, and as carried on at present is a system of real anarchism in its mad spoliation and wanton waste of values.

3.—Capitalism is the cause, that for a constantly increasing number of children the blessings of a proper education becomes impossible, or is at least seriously interfered with. It promotes irresistibly a general demoralization of mankind, and is directly responsible for the increasing lack of principle among men, and for the spread of prostitution among women.

4.—It is also the source of all political corruption, and the cause that the republic of the United States as well as other civilized countries are rotting at the core, seriously threatening modern civilization with the fate that overwhelmed the ancient civilization of Rome and Greece, involving a relapse into barbarism.

TO COUNT ONE.

It is one of the most singular and essential characteristics of the capitalistic mode of production—one that has been only fully developed in modern times—that it rests on the spoliation of one man by another, and the spoliation of the many by the few, thereby creating much more a system of spoliation than of useful production. Yes, an unscrupulous and reckless spoliation of the employed becomes even the

duty of the employer, to prevent his being hurled among the despoiled into wretchedness. By virtue of this system capital is enabled to concentrate more and more power for the subjection of our starving wealth producers, while the percentage of those rioting in abundance without labor is constantly on the decrease.

As proofs for this statement we refer to the social conditions of this country. Although they only find an insufficient expression in statistics, and especially in the official census of the United States, it is proved by such official figures, that the number of industrial establishments remained almost stationary, while the increase in population was wonderful to behold. It is also proved, that the share received by the laborer from his productions (taking the purchasing power of money into consideration) is lower, while the value of the products created by him caused an "intoxicating accumulation of wealth and power" in the hands of a constantly diminishing minority. It further proves that the increase of the number of men employed in the different establishments is even slower than that of the number of the latter, which proves that the profits accumulating in the hands of the employers, are used by them to a large extent in the purchase of labor-saving machinery and the introduction of such mechanical improvements, that enable them to reduce the number of hands employed and curtail the wages of those remaining.

#### TO THE SECOND COUNT.

Capitalism, at the time it came into existence, was a necessary step to a higher civilization. This is not denied. We only find that the human race *has now outgrown the era of capitalism*. In its time it was a mighty aid to progress, but now it has become the greatest obstacle to advancement. The time has arrived when a new and more timely social system must and can evolve out of the capitalistic system and take its place. The germs for this new system can be found to a considerable extent in the trade-organizations of to-day. At the present time capitalism blocks the road to improvement; its abolishment is now in order, or its evolution into a system of general social co-operation. After its time of usefulness had passed, its action became pernicious. The system which we hereby indict is indeed the worst kind of *anarchy* that can be imagined, as the following reflections will prove:

The more diligence and aptness laboring men exert in production, the lower will be the compensation of labor, and in

the same proportion the share of labor in the value of its products will be reduced. His diligence to-day compels him to idleness to-morrow—makes him a tramp.

And the more the genius of workmen constantly invents and improves labor-saving machinery and tools, the more extended will be the period of enforced idleness for a number of working men and the less able will they be to earn the means of subsistence. Instead of being a blessing to humanity, such inventions only bring the curse of increasing poverty to the laboring masses, instead of increasing the wealth and decreasing the labors of the whole human race, each new invention or improvement robs the last crust of bread from thousands, and compels a severer strain to gain a bare livelihood. This reproach is not aimed against the employment of labor-saving machinery in itself, but only against that capitalistic system, in which these machines, and all new inventions and technical improvements fall into the hands of single capitalists, or are monopolized by corporations, and therefore only aid in increasing the spoliation of the laboring classes.

Furthermore: It is not the object of the capitalistic system to satisfy the needs of humanity by the production of necessary and useful things. Profit is the only incentive to activity under the capitalistic system, and in the mad struggle for profit it is not only reckless, so far as life and happiness of the working classes are concerned, but without the least regard for the conditions guaranteeing success to the employers themselves. Under this system it cannot be avoided that each single manufacturer gets as much stock manufactured as he possibly can, regardless of the actual demand, or purchasing-power of the market, and as all the other manufacturers do the same thing, without being restricted by a general plan of production, the inevitable consequences are the destructive calamities so often felt during past years. The interval between the occurrence of these spells of "over-production" (as it is called by some) is constantly diminishing. During such a crisis you can find millions of workmen, who, with their families are suffering for the want of those very things that are rotting in stores and warehouses. So capitalism has made such crazy folly a permanent institution in our social life, viz: "That the producers of all wealth see the products of their industries piled up before them and are, at the very same time, condemned to perish in misery."

The said system also fosters a reckless and wanton de-



struction of the treasures furnished by nature, and of vital importance to the welfare of mankind, including the devastation of forests and the robbing of arable land of their fertility, in fact plunder and pillage in every direction. Under it commerce only imperfectly fulfills its mission to bring the products where they are needed, and even this is done with a great waste of labor; individual profit being the only aim, fraud and adulteration have become general and are now a matter-of-course.

#### TO THE THIRD COUNT.

That under this system it becomes impossible for a constantly increasing number of families to give their offsprings a proper education, will be seen by the following considerations:

In the first place, in many cases, the parents grown up themselves under this system, must be incompetent to properly educate their children and are not qualified to act as good examples.

And then, the parents cannot devote the necessary time to the education of their children; the father coming home exhausted after his day's labors, is too tired to patiently observe his children, to encourage their talents, to check bad habits and attentively promote each noble impulse. The mother, who should be in the position to devote her entire attention to this task, is compelled by the capitalistic system to work for wages in order that the family may be maintained. Thousands of women are compelled to work in factories, while other thousands are tormented and worried by tenement-house work. In both cases it is evident, that they are unable to even give the proper attention to their children, and cannot retain the bouyancy of spirit which must accompany the important work of education. But the saddest impediment to a proper education of children is the capitalistic demand of "CHILD LABOR"—that most hideous disgrace of our times. Capitalism even robs youthful children of the *chances* to develop under natural conditions into manhood; it tears them from parental supervision and from school; it subjects them to baneful influences, cripples them mentally and bodily, it nips them in the bud by overexertion in mechanical pursuits.

Another reference may show that the capitalistic system as a whole poisons the practical morality of mankind and makes its demoralizing influence on youth self-evident, to wit: It involves the transfer of the brutal "struggle for



existence" from animal nature to the higher plane of human culture, and makes success the only goal to be reached. Then, seeing that the harder, more exhausting and unhealthier the toil, the lower the reward it brings, a constantly increasing number shun honest work, and they try to become in some way despoilers of the work of others. They either become capitalists or politicians, or both combined; or where this is impossible, they join the criminal classes and become swindlers, thieves, robbers and murderers. These same facts compel a constantly increasing number of girls and women to prostitute themselves for gain.

Altogether, the extremely demoralizing example of glorifying success in spoliation, and condemning honest labor to want and misery, did more than anything else to destroy the effects of good education, and capitalism therefore is not only the mortal enemy of morality but of the whole human race.

#### TO THE FOURTH COUNT.

In politics, as well as everywhere, capitalism implies the rank and luxuriant growth of spoliation and egotism. This explains why a constantly increasing number of citizens of this country strive for offices, to gain means, influence and honorable positions—all that without labor. In this manner capitalism produced the pest of *professional politicians* in this country and degraded the struggle between the two old political parties to a mean wrangle for spoils. The money-power concentrating in the hands of the few is thereby enabled to purchase legislators, judges and executive officials.

Besides this, legislators, judges and executive officers are personally interested in capitalistic ventures by owning stocks or otherwise sharing in the profits, thus identifying themselves with the interests of capitalism. Therefore all laws are framed in the interest of capital. Justice becomes the hireling of capitalism; thus, whenever opportunity offers, the police force, paid by the people, act in the interest of money-bags, and the executive power of States or the United States do the same.

In spite of the equality before the law guaranteed by the constitution, the rights of the laboring classes are filched from them and it is therefore true that capitalism not only rots our republic to the core, but it also endangers civilization everywhere.

Not against monopoly alone, but against capitalism as a

whole this indictment is framed ; a close inspection brings to light the following state of affairs :

1.—That it is impossible to find the boundary line where a “legitimate” capitalistic business terminates and monopoly begins ;

2.—That naturally every small capitalist aims to become a monopolist ;

3.—That without abolishing the possibility of private capital to despoil the work of others, it is an impossibility to abolish monopoly, and the elevation of mankind is out of question ;

4.—That the small capitalist and small tradesmen are in constant danger of being engulfed by the competition of larger capitalists, and would therefore be benefited and their happiness increased by changing the system of private capitalism into one of universal co-operation ;

5.—That where industries are managed on a small scale the spoliation and misery of the laboring classes is intensified and even more degrading, that therefore an encouragement of small industries would only prolong the suffering of the laboring class. Monopoly and production on a large scale has only been the preliminary condition for the introduction of universal co-operation ;

6.—That in this as well as in all other cases, the cure of the evil can only be effected by removing the causes, and everything depends on a radical extirpation of capitalism—root and branch.

These are the reasons that honestly and conscientiously convinced us that our four accusations against capitalism, specified as above, are perfectly justified, and we therefore consider it as our solemn duty, as true representatives of the people of the United States, *to herewith indict the system of capitalism, as being a common nuisance and a veritable anarchy* that must be abolished by the commonwealth to prevent a relapse into barbarism.

May the real Supreme Court of the country, the tribunal of public opinion, before whom the Grand Jury offers this indictment, adopt the necessary measures and proceed against this accursed system and its representatives.

THOMAS P. COMMONSENSE, Foreman.

## FIRST DAY OF TRIAL.

On the — day —, 18—, the first case called in the Court of Public Opinion was:

### THE PEOPLE OF THE U. S. vs. CAPITALISM.

Judge REASON presiding on the bench.

The Attorney General, Mr. SOCIALIST, as prosecutor, on behalf of the people.

The defendant, The Capitalistic System, had secured Mr. EVARTS as senior counsel.

The clerk read the "Indictment," containing the following four counts:

1.—Capitalism has proved itself to be a system of spoliation, enriching the few and impoverishing more and more the masses of the people and above all, the industrial classes, thereby dooming to misery the only creators of wealth.

2.—Capitalism is based upon a mode of production that became obsolete, and, as carried on at present, is a system of dire anarchism in its mad spoliation and wanton waste of values.

3.—Capitalism is the cause, that for a constantly increasing number of children the blessings of a proper education becomes impossible, or is at least seriously interfered with. It promotes irresistibly a general demoralization of mankind, and is directly responsible for the increasing lack of principle among men, and for the spread of prostitution among women.

4.—It is also the source of all political corruption, and the cause that the republic of the United States as well as other civilized countries are rotting at the core, seriously threatening modern civilization with the fate that overwhelmed the ancient civilization of Rome and Greece, involving a relapse into barbarism.

Before empaneling the Jury, the counsel for the defence makes a

#### *Motion to squash the indictment,*

and advances the following arguments to support his motion:

Your Honor: What the prosecution calls Capitalism cannot be abolished without violating the Constitution of the United States, which guarantees full individual liberty to all. This guarantee would be replaced by an unbearable slavery. The indictment under which my client is on trial is an attempt to abrogate the inalienable right of man—his right to the pursuit of happiness. What this silly indictment condemns under the name of "Capitalism" is nothing more or less than the foundation on which our whole industrial system rests.

The prosecution intends to suppress the individual activity of our citizens in all the departments of manufacture, of commerce, of agriculture, and traffic. If this could be accomplished, this

country would relapse into a state of gross barbarism. Yea, not only the employer is to be abolished by this unwarranted prosecution, but also the hard-working wage-earner is to be annihilated by it. It is obvious that the laborer himself is the possessor of capital and therefore a capitalist. For, it is not only a fact that many wage-workers have money deposited in banks, on which they draw interest, but their working-power is capital in itself. It is indeed the most important capital in our country. Even on behalf of the wage-workers of this hitherto grand and free republic, we ask for the dismissal of this complaint. It is nothing but a villainous attempt to suppress the natural rights of mankind.

As the laborer himself must be looked upon as being a capitalist, "Capital" and "Labor" cannot be antagonistic to each other. Labor is not conceivable without capital, and capital must be fructified by labor to become the greatest blessing to humanity.

And is the capitalist not also a laborer? Is the labor he bestows on the guidance of his business not often hard and exhausting, coupled with anxiety and care?

Therefore, every capitalist is a laborer, and every laborer a capitalist. Capital and labor are naturally friendly to each other and work hand-in-hand as allies. The interests of both are identical.

That this is the only true statement of the case will be obvious if we make it clear to our mind as to what we consider the precise meaning of the term "Capital."

Well, *what* is capital?

Capital is nothing but the great multitude of diverse useful things, without which the preparation and production of useful things would be an impossibility. Such requisites to production are raw material, tools and machinery, factory buildings and their equipments, all these are some of the things that are collectively called "Capital," and all these things are obtained in exchange for money. Furthermore, money is needed to pay to the laborers employed by the capitalist their share in the values produced, as wages, before the product itself can be turned into money again.

But now the question arises, where did all this money come from that is now being used as capital—invested and working capital—in industrial and agricultural pursuits, and to which, as we have seen, all the means of production and the wealth resulting from production, must be ascribed? Now, where did this money come from? The answer is plain:

The same men who are called by the prosecution a lot of wicked and heartless vampires, are the men who laid aside part of their earnings, instead of spending the whole of it in riotous living. They did not squander all of their wages, week after week, as it is customary among workingmen, led astray by labor agitators and socialists; these capitalists, condemned by the



prosecution, are the men who saved part of their wages, and by their abstinence accumulated capital.

And now, when this capital, accumulated by these conscientious citizens through their own exertions and privations, yields them a profit, the prosecution dares to brand this "profit" as spoliation. But this "profit on capital" is only a perfectly just compensation for superior fitness in the struggle for existence.

What is to be abolished? The prosecution says: *Capital*. This aggregate of useful things the prosecution seeks to destroy, although compassing everything that is indispensable for productive activity and modern culture. The fountain-head from which flow the means of satisfying all our wants, and all the possibilities for the embellishment of life. The very foundation of modern civilization it is attempted to destroy by this insane prosecution.

It is self-evident that capital cannot be divorced from labor; it is as indispensable to it as the tool is to the laborer; yes, partly it is identical with the plow of the farmer, with the ax of the carpenter, the compass of the architect, and the brush of the painter. The final aim of the prosecution is therefore to abolish the plow, the ax, the compass and the brush. At the same time it would take from the laborer the opportunity to labor—the capital of the poor man!

This is evidently madness. And is it not at the same time a flagrant violation of justice?

I am convinced that the court will dismiss this complaint, and offer the motion that this may be done at once, for it is nothing but an unconstitutional attempt to abrogate the individual liberty of citizens, an attempt that can only emanate from crack-brained agitators and is aimed at sense and justice.

\* \* \*

Counsel for the defence having thus concluded his address, the attorney for the prosecution, Mr. SOCIALIST, spoke.

#### AGAINST THE MOTION TO DISMISS THE COMPLAINT.

*If the Court please:* The learned counsel for the defence, in speaking to the motion to dismiss this complaint has, among other things, made certain assertions which may, during the course of these proceedings, be either proven or disproven. But, as the prosecution is desirous that fair play should prevail in this trial, we shall waive all technicalities as far as this may possibly be done. For this reason the prosecution has raised no objection when the defence made certain statements which, at this stage of the proceedings, appeared to be rather premature. By the evidence, as we shall adduce it, I am positive it will be shown whether, for instance, there are among the workmen any con-

siderable number of depositors in savings banks to warrant the assertion that workmen are capitalists. And this applies to the statement also on the part of the defence, that all capital owes its existence to the economy and saving proclivities of its possessors; and furthermore, that this prosecution was actuated simply by the vaporings from the brains of a few agitators, etc. The prosecution in this case is prepared to show, by an overwhelming amount of evidence, oral as well as documentary, that all these assertions on the part of the defence are utterly untenable, and not founded in fact. But, at this present moment, we only discuss the arguments upon which the motion to dismiss pretends to be based, and which might have a slight appearance of justification.

Whatsoever remains to be shown in this direction are the following points made by counsel for the defence:

1.—The two words, "Capitalism" and "Capital," are entirely identical with each other. My learned friend did not state this in so many words; but in confounding them, he has succeeded in advancing a seemingly plausible reason for making his motion to dismiss this complaint. In advancing this reason, the defence is arguing that, *because* this prosecution is aimed at capital as such it is:

2.—An outrageous attempt upon the existence of all useful things, as such, which, in themselves are, of necessity, the foundation of the production of all economic wealth; consequently it were, for instance, an attempt upon the plow of the farmer, upon the ax of the carpenter, upon the architect's compass, and upon the brush of the artist. The defence has also attempted to show that the workman's brains and muscle are his "capital," a definition which, if emanating from the lips of an unsophisticated person, may be taken for an excusable neglect in the correctness of expression; but, in this case, as you will see, cannot be admitted as being correct. But, leaving even aside all this, we might not object to the conclusions of the defence if they were not based upon entirely *mistaken premisses*.

To be sure: The defence would, under these circumstances, be altogether right if it were true that this complaint is one against "capital" itself. We, too, admit, that nothing could be more foolish than to clamor for the abolition of capital. Accepting, for a moment, the definition of the defence, be it ever so faulty, but taking it for granted that the term "capital" is to imply all means of production as an aggregate, *to wit*: All raw material, tools and machinery, factory buildings, a certain amount of ready money for paying the wages of workmen, before the product is sold. And, if the defence denounces it as an outcome of insanity if any man proposes to abolish capital in this sense of the word, we cheerfully agree with our learned friend. Undoubtedly, civiliza-

tion is, in reality, based upon that aggregate of useful things. We do not intend to annihilate them; to the contrary, be it said, we are endeavoring to increase and to improve them. It is even our special desire to develop the efficacy of all labor-saving machinery to the very climax of perfection. But, indeed: We desire, at the same time, that all these useful things, machinery and whatsoever may be designated as "*capital*," be applied, in the future, *to the welfare of laboring mankind*. We desire that no longer shall a few individuals, who, more or less are not performing any useful labor, be enriched by them, while the masses of the people are left to perish in misery and poverty. But that aggregation of useful things, called "*capital*," can result in such a destructive tendency only when it is in the private possession of a few individuals, instead of being the property of the entire commonwealth.

And thus we are approaching the decisive point of the question, which, by being fully answered, will enable your Honor to easily decide why the motion to dismiss the case should not prevail. I shall therefore present to your Honor that point in a nutshell.

We are not in any way opposed to useful things called "*capital*," but only to the private possession in the hands of a few, of those things. We are not opposed to capital as the aggregate of *things*, but of that legal institution we designate as "*private capital*." And it is in that sense that we say, we are the adversaries of *capitalism*. And what that "*ism*" means has now become clearly understood: It is a leading principle in our modern laws, made not by nature but by man; it is that principle or system which gives permission to a small number of individuals to accumulate the means of production in the hands of private owners; it is that principle which gives to the possessors of the means of production the power of compelling those who have nothing to work for wages; it is that principle, or system, by which those working for wages are compelled to compete with each other, while they must underbid each other, for the purpose of enabling their so-called employers to grind them down to the lowest possible level. To be brief: The term "*Capitalism*"—not to be confounded with capital—conveys to us that part of our present legal system, by which it is made lawful that the masses of the people may be despoiled and fleeced of the full fruit of their labor by those who possess the means of production; in it we recognize that power by which this aggregate of useful things called "*capital*" in the hands of the few is ruling over the masses of mankind. We object that this creature, "*capital*," should continue to be the master of its Creator, the society of human beings. Indeed, that demoniacal, infernal power is what we are contending against in bringing this present suit. This it is what we call "*capitalism*," and what may be abolished by leaving "*capital*" itself to exist but elevating it to a means of common use, when



it will, in the possession of the entire commonwealth, be transformed, from an arbitrary, diabolical ruler, into a willing and always useful servant of the entire human race.

Therefore, we ask your Honor, who are they, whose rights, whose liberty would be encroached upon if humanity is to regain its freedom, if the entire civilized population of this mundane globe is to be emancipated from the tyranny of its own creation? I ask you, whose "unalienable rights" are being violated if mankind is to be saved from degradation and enslavement! Is there any principle of justice involved if a few individuals claim that their interests are above the interests of the great, overwhelming majority? Your Honor's answer must, and will be: *Salus publica, suprema lex!*

But, if the defence rejoins that by abolishing capitalism the capitalists would be injured, then let the people declare for equity, and let them accord to those citizens, who believe their rights to be involved, a fair indemnity—provided they refrain from emulating the example of the slaveholders in 1860 who raised the flag of the rebellion against the majesty of the will of the people. If in Germany the paying of the tithe, and in Russia the barbaric relic of the serfdom could be abolished, the people of the United States will be able to find means and ways of doing away with the modern slavery of the alleged "free" wage workers.

And, if existing laws are in the way of the great work of liberation your Honor will concede that the people may, and will remove such obstacles to the majority's freedom.


Now, furthermore, if the defence asserts that the constitution be another obstacle, your Honor may remember that the constitution was made for the people, and not the people for the constitution.

And for this reason we hope that the Court of Public Opinion will decide the question before us to the effect that this trial may proceed.

On behalf of the People of the United States we therefore ask your Honor to deny the motion of dismissing this case.

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The proceedings of the *first* day were thus concluded. The details of the subsequent proceedings will be reported in the "DAWN OF REAL FREEDOM," No. 2.





November

1886.

# THE DAWN

No. 2.

—OF—

No. 2.

REAL FREEDOM.

PUBLISHED MONTHLY.

\$1.00 A YEAR.

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## CAPITALISM ON TRIAL.

LEGAL PROCEEDINGS AGAINST THE SYSTEM THAT DESPOILS THE  
WORKING CLASSES AND ROBS THE LABORER  
OF HIS EARNINGS.

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BY

A KNIGHT OF LABOR.

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Entered at the Post Office, New York City, as Second Class Mail Matter.

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NEW YORK.

Publisher, J. FRANZ, No. 184 William Street.

P. O. Box 3560.

# OPINIONS OF THE PRESS

—ON—

## Part I. of "*CAPITALISM ON TRIAL*."

**CAPITALISM ON TRIAL.** Legal proceedings against the system that despoils the working classes and robs the laborer of his earnings. (*The Dawn of Real Freedom*, No. 1.) Publisher, J. Franz, 184 William Street, P. O. Box 3560, New York. Price, 5 cents.

The author of this very clever pamphlet introduces himself anonymously as "A Knight of Labor," and is a member of L. A. 2245, D. A. 64.

The purpose of this publication, of which Part I has just appeared, is to show that the whole system of so-called free competition, under the reign of private capital, is virtually a public nuisance in the shape of "anarchy." In order to have this system of "capitalism" convicted by the Court of Public Opinion, the author gives in a symbolic form a report of a regular trial before Judge "Reason." With this design, the pamphlet purports to be an answer to the trials against boycotters. It is full of deep thoughts with strong features, in popular language, and is well worth everybody's reading.—*John Swinton's Paper*," of Oct. 3d, 1886.

The above Editorial notice was reproduced and fully indorsed by:

*The National Labor Tribune*, Pittsburgh, Pa.

*The Laborette*, Rawlin, Terr. of Wyoming.

*The Workingmen's Advocate*, New Haven, Conn.

*The Craftsman*, Washington. D C.

*The New Yorker Volkszeitung*, New York City.

*The Leader*, New York City.

*The Furniture Workers' Journal*, New York.

J. Franz, of 184 William street, publishes a neat little pamphlet, the first of a series to be issued, entitled "*The Dawn of Real Freedom*". This brochure places "*Capitalism on Trial*" and secures a conviction in the minds of all reasoning men. The price of the little book is 5 cts.—*The Carpenter*.

"*The Dawn of Real Freedom*" is another periodical, published by J. FRANZ, No. 184 William Street, N. Y., P. O. Box 3560. Price 5 cts.

No. 1 contains an article by a *Knight of Labor*, entitled "*Capitalism on Trial*".

The author arraigns Capitalism on the charge of being Anarchy in its most virulent form, the most wanton spoliation, rapine and murder, and makes out his case in an unanswerable manner.—*The Reflector*, N. Y. city.

# CAPITALISM ON TRIAL.

(CONTINUED.)

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## SECOND DAY OF PROCEEDINGS.

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THE DECISION OF THE COURT DISMISSING THE MOTION TO DISMISS THE COMPLAINT.—OPENING THE CASE ON THE PART OF THE PROSECUTION.—THE HEARING OF TESTIMONY FOR THE PEOPLE BEGINNING.—A SKILLED WORKMAN, A COMPOSITOR, THE FIRST WITNESS.

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The second day of the trial was eagerly awaited by an anxious public. Throughout the country the people were convinced that a case was before the Court of Public Opinion upon whose final outcome depended the future of the existing order of society. In fact, this is the great issue: The people of the United States represented by this very Tribunal are sitting in judgement over the present mode of production, based upon the system of private property in the means of labor. If judgment be passed for the people of this country, they will at once proceed to abolish this system of capitalism, and replace it by a system of universal co-operation through the laboring masses, organized in Trades Unions. This is evidently the spirit of the prosecution, represented by the Attorney General, Mr. SOCIALIST, who has designated capitalism to be a "system of public nuisance and the

worst kind of Anarchism." Under such circumstances it was not surprising that the spacious court-room was crowded with an impatient audience on the second day of the trial.

Speculation was rife as to what would be the decision of Judge REASON in regard to the motion made on the first day of the trial by counsel for the defence, Mr. EVARTS. Be it remembered, that by this motion it was intended to have the present indictment "quashed", for the alleged reason that, as the abolition of the capitalistic system would result in the abrogation of the individual liberty of citizens, it was unreasonable and unconstitutional. As our readers well know, the defence in arguing its motion had claimed that "capital" was identical with "capitalism", and that therefore any attempt to abolish capitalism, meant nothing short of an attempt to destroy all those useful things which are called capital and which include the laboring power of the workman necessary to produce all means of life. It was supposed that this motion having been disposed of the trial would be proceeded with to-day.

"Perhaps the judge may quash the indictment?!" was the jubilant exclamation of the "Upper Ten Thousand", composing the alleged "better classes"..... "One more bottle of champagne!"

"Maybe the judge will dismiss the case?!" thus a sigh of stolid despair heaved by the breasts of millions whose life had, so far, been one of hard labor, suffering and degradation..... "Will it ever be different for us?"

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A dead silence prevailed throughout the court-room when Judge REASON took his seat upon the bench. He immediately opened the proceedings by reading the following:

### DECISION OF THE COURT.

JUDGE REASON: "The defence has made the motion to dismiss this case without testimony being taken. The reasons advanced by the defence in support of this motion are briefly these:

They claim that it is sought to abolish capital, thereby meaning an aggregation of things useful to all of us, and necessary for the production of the means of life of all mankind.

At the same time the defence has claimed that this action is aiming at the suppression of all freedom of citizenship, and in



every respect to prevent man from asserting his natural right to the pursuit of happiness. And, by doing so, the defence is proceeding from the supposition that by abolishing capitalism all voluntary and free participation of the citizens in the great agencies of manufacture, agriculture, commerce and trade is to be made impossible. And, furthermore, the defence has asserted that thus the present action is to be considered as an attempt upon the constitution of this country, and, that it therefore should be dismissed without trial.

The other assertion, they have made, cannot, very well, be taken into consideration at this stage of the proceedings.

The prosecution in answering has not denied that it would be folly to abolish capital, *i. e.* those *things* which are so designated. But, the prosecution has asserted, that the defence is confounding the two terms, *to wit*: "Capitalism" and "capital", and that the counsel for the defence is trying to substitute the latter for the former, in order to make the Court dismiss the case. The prosecution has taken pains to show that this action is solely directed against capitalism; that it is sought to do away with a principle which, while predominating in, and fostered by the laws of this country, allows the existence of private ownership of capital, and consequently the spoliation of labor of its full reward for its exertions; that only a *system* is to be changed by substituting common ownership of the means of production to private ownership of capital. And finally the prosecution denies the alleged fact that the abolition of capitalism would necessarily involve an encroachment upon the rights, and the freedom of the individual; to the contrary, the prosecution have asserted that the system of owning capital in common and using it by universal co-operation would greatly enhance and increase the rights and freedom of each and every individual.

In deciding the motion before the Court we shall have, first of all, to consider the letter and the spirit of the indictment. And in considering this question we find with certainty, that this action was not brought against "capital" as such, but against *capitalism*, against the principle and the system of *private* ownership of capital. The Court therefore decides that the primary objection of the defence, according to which the complaint is alleged to be contrary to common sense, cannot be sustained.

Furthermore the Court cannot conceive that, in case capitalism be abolished, the people of this country should not be able to introduce some other system under which the natural rights and liberties of the individual may continue to exist without being abrogated in any manner. There may be a case when some few individuals are bound to renounce certain rights, which, in our days are con-

sidered to be "justly acquired." But, the right of the State to annul such "justly acquired rights" cannot be assailed and the State has exercised it at all times in the history of civilized nations ; it is inseparable from the sovereignty of the State. The last great example for exercising this right has been the abolition of slavery in 1861 by the government of the United States when the "justly acquired rights" of the slaveholders were annulled. The only condition to which this right of the State is coupled is this : The fact must be proven that it is absolutely necessary for the welfare of the people that these respective rights of individuals be declared null and void. And whether this necessity is a fact in regard to the proposition to abolish capitalism is to be shown by this present action ; and, by entering into these proceedings we are to investigate whether it be a fact that the system of capitalism has become a public nuisance, and a system of anarchy, as charged in the indictment. Therefore, I am in favor of giving to the prosecution an opportunity of examining witnesses, and to submit other evidence which, on the part of the defence may, if they can do so, be disproven. If the jury should then find that the prevailing system of production is detrimental to the interests of the people, the people will, no doubt, possess the right and also the necessary intelligence of introducing a new order of things.

The motion of the defence to dismiss the complaint is denied."

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For some moments the audience was spell-bound, and overwhelmed with the historic importance of this moment : The technical objections had been overruled ; the trial was to proceed. What will be the outcome : Is the capitalistic system really a public nuisance ? Is it anarchism—a war of everybody against everybody else—as alleged by the prosecution ?

When the counsel for the people arose, a dead silence again pervaded the room. Mr. SOCIALIST in opening the case for the prosecution made a brief, terse statement, which appeared to make a deep impression upon his hearers.

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## THE OPENING SPEECH OF THE ATTORNEY-GENERAL.

*Gentlemen of the Jury:* It would be an easy, and indeed a very thankful task for me to make a great display of oratory in a case like this. But, I think it is not needed in order to do my duty.

If the people of the United States have seen fit to demand this trial, the supposition must be that the prevailing social conditions have become unbearable for a large part of our population. Indeed, the largest, and far the best part of our people are they who have come to the conclusion that mere political liberty, not based upon economic independence, is but hollow mockery. The indictment here before us is being supported by the clearly expressed popular demand of the greatest and noblest Labor Union the world has ever known. The glorious Order of the KNIGHTS OF LABOR declares that

"The alarming development and aggressiveness of great capitalists and corporations, unless checked, will inevitably lead to the pauperization and degradation of the toiling masses.

It is imperative, if we desire to enjoy the full blessings of life, that a check be placed upon unjust accumulation, and the power for evil of aggregated wealth.

This much-desired object can be accomplished only by the united efforts of those who obey the divine injunction, 'in the sweat of thy face shalt thou eat bread.'

And this order proclaims that the fundamental principles of its endeavors are :

"I. To make industrial and moral worth, not wealth, the true standard of individual and National greatness.

II. *To secure to the workers the full enjoyment of the wealth they create, sufficient leisure in which to develop their intellectual, moral and social faculties ; all of the benefits, recreation and pleasures of association ; in a word, to enable them to share in the gains and honors of advancing civilization."*

Furthermore : This really representative thoroughly American organization of laboring men is striving for the establishment of co-operative enterprises expressly for the purpose of superseding the wage-system, and of replacing it by the universal co-operation of the working masses. The great armies of the Trades Unions and other Labor organizations, in their struggle, which has almost become permanent, not for an improvement of their condition, but only to defend themselves from further degradation, are living examples for the pernicious conditions brought about by the unlimited dependance of the workmen upon the possessor of the means of production. The intellectual vanguard of the labor movement, the Socialistic Labor Party, has called the evil by its proper name. They say : Capital is a creature of Labor. Under a number of temporary and arbitrary laws, made by human beings this creature has gained a preponderance over its natural master and maker ; this creature of Labor shall be transformed into a tool in the hands of mankind by replacing the system of capitalistic spoliation by one of universal

co-operation. We not only concede, but we proclaim it that such a change of system involves a *revolution*; it is the *social* revolution itself which is facing our times. We are longing for it, as we consider it to be our saviour from the destruction of human culture. It will elevate the masses of the people to a more dignified existence as human beings. In order to argue this indictment we need but let the facts plead for themselves. Let the facts of life be known. And, if it thus be proven what we assert, if it is true that the masses of the laboring people are doomed by the capitalistic system to never ceasing degradation and slavery, then, gentlemen of the jury, the people of the United States will pass the death sentence upon Capitalism, and no power on earth will be strong enough to prevent the execution of that sentence.

The prosecution is now ready to produce its evidence.

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**THE FIRST WITNESS, A SKILLED MECHANIC ON THE  
WITNESS-STAND. THE CONDITION OF A WAGE-  
WORKER UNDER RATHER FAVOR-  
ABLE CIRCUMSTANCES.**

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The first witness called, Mr. George W. Franklin, seemed to belong, judging from outward appearances, to the class of better situated wage-workers. He was rather neatly attired, his bearing was self-possessed and earnest, and the expression of his countenance gave evidence of more than ordinary intelligence. He looked like a man pretty well situated, but at the same time you could observe that overexertion, worry and care, and the discontent following in their wake, were no strangers to him.

After name, residence, etc., had been given the examination proceeded as follows :

Q. What is your occupation ?

A. I am a compositor, and follow this occupation for the last 20 years, after going through an apprenticeship of four years.

Q. Are you married ?

A. Yes. My family consists of my wife and two children and my father, who stays with us in his old age.

Q. How much do you earn in six working days, if fully employed ?



A. The average is about \$17.50. Working by the piece my earnings depend on the quality of the work I have to do.

Q. Have you at present a situation giving you full and regular employment?

A. Yes. Since four months I have.

Q. Previous to these four months, were you irregularly employed, or without any employment?

A. For several weeks I had two or three days work each week. My earnings during that time did seldom reach \$9.00 per week.

Q. How long were you without regular employment?

A. For seven weeks.

Q. Did such periods of irregular employment occur often during your twenty years of experience as a compositor?

A. Oh, yes, very often. So frequently, that I would have to strain my memory to recall them. While young, it did not trouble me much. I took a traveling card from my Union and went into the country, where after a few weeks of idle search, I generally succeeded in finding employment in some small country town, but the compensation was miserable. Since I have a family of my own a repeated change of residence has become almost impossible. Rather than squander the household goods, obtained by hardship and toil, for the prices you can obtain, you wait as long as possible to obtain employment where you are.

Q. You stated that you were seven weeks without regular employment before obtaining your present situation. Did you have regular and full employment previous to that time?

A. Yes, sir; I worked in an establishment where my earnings were even higher than in my present situation. I was employed there over five years.

Q. How was it, that you did not keep that place?

A. I was discharged.

Q. What caused your discharge? Did you neglect your work, or were there any other reasons to find fault with you?

Q. Neither the boss, foreman or anybody else asserted anything of the kind, and I could prove that this was not the cause. The foreman simply discharged me; he was not obliged to give any reason. But all the men employed with me, knew well the reason why I was discharged. The boss belonged to a combination of employers, who had determined to oust the Union men one after another, and fill their places with non-union men — "rats" or "scabs" as we call them. I, myself especially, was an eye-

sore to the boss and his foreman, for they considered me as one of the "ringleaders" in a strike which had taken place in the establishment a short time before. The cause of the strike was an offered reduction of wages; and, backed by our strong trades union, we won the strike. To revenge himself, I was the first one who "had to walk the plank" by order of the boss; others followed later—in spite of his given promise that no man should be discharged on account of his participating in the strike.

Q. Do you recall other instances where you lost your situation, without any fault on your part?

A. Yes, sir, I recollect three instances when this happened. After being employed for a long time in an establishment, I was discharged. The reason was, that the boss wanted to make his business more profitable by employing boys to do a larger part of the work. He called them "apprentices", but in reality they learned only very little of the business, just enough to make them profitable to the boss, but not enough to compensate them in after years for the time they lost. Three such "apprentices", at a salary of from \$4 to \$5 a week, were drilled in a few months, so that they could furnish just as much common newspaper matter, as two grown compositors, who knew every branch of their business. When the boss had his three "apprentices" sufficiently drilled, another man and myself were discharged. In a previous case I lost my situation, because a slackness in the business made a reduction in the number of employes apparently necessary. In one place I owed my discharge simply to the foreman's dislike to me. I was not sycophanting and submissive enough for him. A creature after his own heart received my place.

Q. Do most of those employed in your calling work under the so-called *piece-system*?

A. Yes, sir.

Q. What according to your experience are the effects of the *piece-system*, in regard to the well-being of those employed under it?

A. Well, I did not study political economy, and can only tell what I know by my own experience, and this leads me to think that *piece-work* is very pernicious to the worker.

Q. Will you explain to us, why this is so?

A. I will give you a description of how the *piece-system* operates in my trade. The difference in their technical ability to furnish a certain amount of work in a given time is very great. Take 100 compositors alike industrious and willing to do their

work, and you will find that about 70 of their number will be able to set up 1000 em's in an hour ; 25 of them will be able to set from one hundred to five hundred em's more ; while 5 of them will even beat this and reach 2000 em's in an hour. Once in a while prize-tournaments are arraigned where the swiftest compositors compete for the championship. These have shown that we have compositors in this country, who are able to set up 2600 em's in an hour for four hours in succession. According to the piece-system the compensation of a compositor is in direct proportion to the amount of work he furnishes. The result is that men belonging to the 1000 em class will do their utmost to get into the 1500 em class, and these again will endeavor to reach the still higher speed. The result must be that the number of those furnishing the former average quantity, will constantly diminish, and less men will be needed to accomplish the same amount of work. During my practice I have repeatedly observed the following : Suppose it requires 40 compositors of an average speed to furnish the matter for a morning paper. Before commencing work in the evening, the foreman musters the force at his disposal, consisting of regular employés and "subs"; a glance at the list shows that six rapid and two very rapid compositors are among the forty men present. What will he do ? He will announce, that only 35 men are needed that night ; five are not wanted and can go home, if they have a home to go to. Now suppose that the majority of compositors were able to do the same amount of work, for instance, as the champions McCann, Somers and Arensberg ; the result would be that only about one-third of the number now employed would be needed to furnish the same amount of work.

Q. What influence would this result have on the compositors in general ?

A. Simply this. If by the dexterity of *A*, his colleague *B* is made superfluous and condemned to want, *B* may be forced to offer his services for a lower price to obtain employment ; he may be forced by hunger to do this, unless there is a Union to aid him when he is "hard up". *B* may then work at a lower rate or swell the ranks of those having no regular employment. The next result will be, that the "bosses" will reduce the scale-price per 1000 "em's", or that an increase of the scale, made imperative by the increased price of the necessities of life, cannot meet with success, which would be practically equivalent to a reduction of wages. Thus the system of paying by the piece compels the workingmen to the severest competition among themselves, and increased skill and diligence will only result namely : To reduce the price of the work furnished and making the wage.

worker more dependent and poorer. This, at least, is the result in my trade, according to my observations, and as far as I hear and see, the same is more or less the case in all trades where the system of piece-work has been introduced.

Q. Mr. Franklin, you stated that your average earnings amounted to \$17.50 per week for the last four months. Will you now tell us what your regular expenses amount to?

A. My monthly expenses are about as follows: Rent and care fare, \$15; food, fuel and light, \$25; clothing and shoes, \$10; medical attendance and incidental expenses, \$2.50; for refreshments and recreation, \$5; life insurance, union dues, newspapers, books, etc., etc., \$2.50; this makes a total sum of \$65.00. Of course you do not need \$10 for clothing every month, nor do the expenses for medical attendance run as high as \$2.50 in each month, but if you take the monthly average for a year, these figures will be found correct.

Q. According to this you have an average surplus of \$10 per month or \$120 per annum?

A. Yes, that is I *would* have it, *if* I had full and regular employment during the entire year; but as I have stated before, I am not always so fortunate.

Q. You stated, Mr. Franklin, that you had steady employment for the past four months. Were you able to save anything during that time?

A. My savings for the past four months are hardly worth mentioning.

Q. Will you please give an exact statement?

A. My bank account at present amounts to \$15. So as not to appear in a wrong light I must add the following explanation: Before obtaining regular employment four months ago, I was only partially employed for some time; two or three days work was all I could get in a week. During such spells of enforced idleness, one must be glad to keep the family from starving. The previous savings rapidly disappear, and money for necessary clothing, etc. is out of the question. All purchases must be postponed until the earnings increase. As soon as I received regular wages I had to spend about \$15 for most necessary repairs and buying different things that we were in need of for some time. Then one of my children died and the funeral expenses were \$20.

Q. Suppose you would be regularly employed in future, and lose no time on account of sickness, you would then be able to save \$120 every year. Do you think, that under such lucky cir-



cumstances you would be able to save money enough to establish a business for yourself?

A. No. I have no such hopes. I feel that I will not be able to work another ten years at the rate I am working now. It often requires a great exertion on my part to furnish the same amount of work that I could easily do in my younger days. But even if all the favorable suppositions became facts, I could only save \$1200 in the next ten years. This sum would be insufficient to buy or start a printing office that could cope with the constantly increasing demands of composition and retain capital enough for the necessary running expenses. Rather than be a boss without means enough to carry on a business properly, I will remain a journeyman.

Q. Well, Mr. Franklin, if you compare your lot with that of other wage-workers, do you consider their condition to be better than your own, or otherwise?

A. I must confess, that as far as I am able to judge, the majority of wage-workers are in even less favorable circumstances than I am. Even in my own calling I know that many of my fellow workmen are unable to earn as much as I do, because they cannot work as rapidly. I know men belonging to other trades, that could not find employment for weeks, and suffering the bitterest want with their families. I see that thousands of unskilled laborers are unable to earn even half the wages a compositor receives.

Q. Take it all in all, Mr. Franklin, do you consider yourself as being a free and independent man and citizen?

A. In reality I cannot see that I am independent at all. Under present circumstances, every one is independent only so far as he possesses a sufficient amount of means to secure his existence in order to resist the arbitrary dictates of somebody else. What can I do with political liberty and that much boasted of "equality before the law" if I am compelled to submit to the wishes of another man in order to appease my own hunger and that of my starving family? Do not tell me that the American workmen know no such thing as subjection under the will of anybody else! The times when such was the case have long gone by. But, since all shops and factories are besieged by crowds of unemployed people, who, compelled by misery and want, are courting the favor of the boss or his foreman, as if they were demi-gods—since that time many a skilled workman meekly submits to all sorts of insults and indignities for the sole and single purpose of avoiding to incur the enmity of bosses and foremen. If ever I want to uphold my dignity and manhood as a "free and inde-

pendent citizen of this Republic"—as I am not unfrequently called by politicians and editorial writers—it may happen that I am out of a job the next day after. And how could I justify such conduct when considering the welfare of my family whom I am in duty bound to protect from the sufferings they might be compelled to undergo at times of lack of employment? The small amount of money I have saved would be used up within the second week of my being out of a job. And, in order to prevent this, in order to keep the wolf from my door, I am compelled to submit to many a despotic freak of my employer or "superior." Theoretically, of course, I am independent; but, practically, I live like a slave, dependent upon the power of the capitalist employing me. It is true I am, unlike the chattel slave, not bound to a certain master; I can leave my employment and seek another place where to work, as soon as I find it. But, although I am a skilled mechanic, having been apprenticed to my trade, and being able to do all the work required of me, it may be that I am jumping from the frying pan into the fire by changing employers. For, it is not unlikely that in the shop where I may happen to find a place, I may have to complain of greater evils than those were which to avoid I left my former employment. And, at all events, wherever I may be employed, I will be paid but part of the value of my labor. My labor is a commodity upon the market whose price, like that of all other marketable commodities, depends upon supply and demand. But, I am far more dependent than the possessors of any other marketable commodities. A man who keeps for sale wheat, meat, butter, etc., may refuse to sell if the purchaser offers a price too low to be accepted by the merchant. The wage-worker, as a rule, is compelled to sell his labor—or, in other words, *himself*—at the lowest price in the market, as long as he will be able to thus exist in dire want and bring up his offspring. Of course, the workmen belonging to powerful Unions of their trade, or to the Knights of Labor, are somewhat better protected against emergencies of this kind. But even the strongest Unions have, so far, been only able to battle against this evil in a limited way; and in times of general financial and industrial distress and depression of business, such organizations could do very little to prevent a general depreciation of the wages of workmen, while it has often been witnessed that less powerful Unions have been destroyed at such periods of commercial crises. And thus it was as far back as my memory reaches. What the future may bring, I do not know it. I only know this: that with the entire amount of good will, efficiency and economy on my part, I can do very little myself to shape my own destiny. I know that my foreman, or my boss, have the

right to interfere, at any time, with the peace and happiness of my family life, to fill our hearts with sorrow and anxiety by opening my door to misery and distress. Though working very hard and living in the most economic manner possible, it is always but a question of luck with me whether I will be provided for, or have anything saved, if the rainy days of misfortune and lack of employment should happen to come. As a compositor, I have no hopes of ever being a very old man, or else I would be compelled to fear the misery and tortures of the poorhouse. As a wage-worker, I am at the mercy of the ever-changing chances of trade and business. And this will continue to be so as long as the wage system remains in existence. My own "free will" is unable to influence this state of affairs in the least. And for all these reasons I would like to know why I should pretend to feel like a free and independent citizen?

ATTORNEY-GENERAL, MR. SOCIALIST: To be certain, a man living under such trying circumstances is not very independent; and the liberty guaranteed to him, on paper, by the constitution is a bare-faced falsehood as far as such a man is concerned. (Facing the jury-box.) Gentlemen of the jury: The prosecution has produced this witness for the purpose of showing to you how, under the rule of capitalism, those workmen who are situated somewhat more favorably than their fellow-workers—the skilled workmen—are living in a state of miserable and hopeless oppression and moral degradation. There may be a small number of workmen belonging to the more skilled branches of trade who are in more favorable circumstances, being so fortunate as to have had constant employment during a number of years, which has not been the case with Mr. Franklin. But, we assert—and, to prove it, we appeal to the individual experiences of every member of this jury—that there are large numbers of compositors, pianomakers, cabinetmakers, carvers, silkweavers, even newspaper men and many others who, in spite of all their willingness to work, are not even in the possession of a savings-bank deposit of the small amount of fifteen dollars, and consequently are in poorer circumstances, and of course, in a condition of greater dependence than Mr. Franklin. In order to avoid too large an accumulation of testimony, we shall limit ourselves in regard to the condition of the class of skilled workmen to the testimony of this witness, he being a representative workman of his respective group of industrial craftsmen.

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Hereupon *counsel for defense*, Mr. Evarts, arose to cross-examine the witness.

*Question by Mr. Evarts:* Do you know, Mr. Franklin, that the workmen of your branch of trade in Europe are living upon wages considerably lower than the compositors in this country?

A. From my own personal knowledge I do not know anything in regard to this subject, but I have read reports stating that such be the fact. Secretary of State, Mr. Evarts has, in his time, considered it to be his most important duty, to hold up to the eyes of the workmen of this country the misery of the laboring people of Europe.

Q. The reports of the representatives of our government abroad have shown that the wages in all branches of trade were considerably lower than in this country. And this also refers especially to your own trade, Mr. Franklin. Will you please tell us, whether the poor American workman could not be approximately contented with the wages his European colleagues are receiving?

A. I do not believe that the American workman could live on such low wages as received by the workers in Italy and some other countries.

Q. Why not?

A. Because he is accustomed to a higher standard of life.

Q. But, if it needs be, cannot a man deprive himself voluntarily of several luxuries, even if he has been accustomed to enjoy them; why should not the American workman be able to reduce his necessities to the level of the European worker?

A. Because the few luxuries—as far as they are yet enjoyed by the workmen in this country—are deeply rooted in the mode of American life and firmly imbedded in the belief of American workmen as belonging to the prerogatives of a large and very wealthy country. It is true, you may slowly reduce the standard of life of the workmen of this country by a gradual, but continuous reduction of wages. . . . .

*Ex-Secretary of State, Mr. Evarts:* Ah, so you concede my proposition?

*Witness Franklin:* Yes, sir, I concede it. It is not only possible; it has been done, and it is being done to-day. Since 1873 the American workman has been deprived, gradually, of a great many things he formally considered necessary to uphold his standard of life, and I believe it to be doubtful whether a skilled workman, with steady employment in any of our large American cities, is living in a much better and more agreeable condition than similarly situated workmen in an equally large city of Great Britain or Germany. I am purposely referring to skilled work.



men only, who are at least somewhat protected from being too rapidly deprived of the necessities and enjoyments of life by powerful Trade organizations. But, the unemployed workmen in this country are in no way better situated than those in any other country. Somebody else may tell you all about the condition and prospects of those workers who do not belong to the skilled trades, and whose organizations are not sufficiently powerful to protect them, or who are not belonging to any organization; but one thing I would like to state.....

Q. Well?

A. The American workman, be he ever so conservative, law-abiding and peaceable, will soon become a communist and break to pieces your entire so-called system of "social order" before he will tolerate that the capitalistic class shall take from his bread the last bit of butter that is yet left him.

Q. It has also been proven that our industries cannot compete with those of other countries on account of the high wages which are being paid to American workmen. So you ought to see that American workmen are not yet in as deplorable a condition as you seem to be believing?

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Before witness answered this question counsel for the prosecution arose and moved to adjourn the cross examination. The court granted the motion and the proceedings were adjourned for the day.

## APPENDIX.

### **Preambles and Platform of the Socialistic Labor Party of North America.**

Labor being the only creator of all wealth and civilization, it rightfully follows that those who perform all labor and create all wealth should enjoy the result of their toil.

But this is rendered impossible by the modern system of production, which, since the discovery of steam-power and since the general introduction of ma-

chines, is in all branches of industry carried with such gigantic means and appliances as but a few are able to possess.

The present industrial system is coöperative in *one respect only*, which is : That not, as in former times, the individual works alone or his own account, but dozens, hundreds and thousands of men work together in shops, in mines, on huge farms and lands, coöperating according to the most efficient division of labor. But the fruits of this coöperative labor are not reaped by the workers themselves, but are in a great measure appropriated by the owners of the means of production, to wit: of the machines, of the factories, of the mines and of the land.

This system, by gradually extinguishing the middle class, necessarily produces two separate sets of men : That class of the workers, and that of the great bosses.

It brings forth as its natural outgrowths:

The planlessness and reckless rate of production.

The waste of human and natural forces.

The commercial and industrial crisis.

The constant uncertainty of the material existence of the wage-workers.

The misery of the proletarian masses.

The accumulation of wealth in the hands of a few.

Such a condition, which under the present industrial régime cannot but become more and more aggravated, is inconsistent with the interests of mankind, with the principles of justice and true democracy, as it destroys those rights which the Declaration of Independence of the United States held to be inalienable in all men, viz: life, liberty and the pursuit of happiness.

This condition shortens and imperils life by want and misery. It destroys liberty because the economical subjection of the wage-workers to the owners of the means of production immediately leads to their political dependence, and it finally frustrates the pursuit of happiness, which is never possible when life and personal liberty are in constant danger.

To put an end to this degrading state of things, we strive to introduce the *perfect* system of coöperative production—that is, we demand that the workers obtain the undivided product of their toil.

This being only feasible by securing to the workers control of the means of production,

We demand:

That the land, the instruments of production (machines, factories, etc.,) and the products of labor become the common property of the whole people; and,

That all production be organized coöperatively, and be carried on under the direction of the commonwealth; as also the coöperative distribution of the products according to the service rendered, and to the just needs of the individuals.

To realize our demands, we strive to gain control of the political power, with all proper means.

The Socialistic Labor Party claims the title, "Labor Party," because it recognizes the existence of an oppressed class of wage-workers as its fundamental truth, and the emancipation of this oppressed laboring class as its foremost object.

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**ATTENTION !**

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# No. 3

—OF—

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- 1) The cross examination by counsel for defense of the first witness continued.
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